

SEP 18 2006

Serial No. 10/767,610
Amendment and Response to Office Action Mailed on June 16, 2006
Page 7**REMARKS**

The Applicant would like to thank the Examiner for the telephone conference of September 18, 2006.

In the Office Action, claims 1, 2, 4-9, 11, and 13-18 were rejected. By this response, claims 1, 4, 9, 15, 18, 21, and 22 have been amended. The amendments are fully supported by the Specification. Upon entry of these amendments, claims 1, 2, 4-9, 11, 13-18, and 21-25 will be pending in the present application. Reconsideration of the rejection and allowance of the pending claims are respectfully requested.

Rejection Under 35 U.S.C. § 112

In the Official Action, claims 17, 18, and 23-25 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention.. Claims 17 and 18 have been amended by this response in light of the Examiner's comments. Withdrawal of the rejection is respectfully requested.

Rejection Under 35 U.S.C. § 102(b)

In the Office Action, claims 1, 2, 4, 5, 7, 8, 18, 21, 24, and 25 were rejected under 35 U.S.C. §102(b) as being anticipated by Petty, U.S. Patent No.5,671,889. By this response, claims 1, 4, and 21 have been amended. Claim 1 is an independent claim and claims 2, 4, 5, 7, 8 and 21 depend from independent claim 1. Claim 18 also is an independent claim and claims 24 and 25 depend from independent claim 18.

Claims 2, 4, 5, 7, 8 and 21 are not anticipated because the Petty reference does not show all of the recited features of the claims. Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985).

Serial No. 10/767,610
Amendment and Response to Office Action Mailed on June 16, 2006
Page 8

For example, one of the recited features of amended independent claim 1 that is not disclosed by the Petty reference is: "a first pump operable to produce a flow of a first liquid at a pressure of at least 600 p.s.i.g." The Petty reference discloses a water-proofing spraying apparatus 10 having liquid pressurizing pumps 32 and 33. See Petty, col. 3, lines 33-37. The fluid pressurizing pumps 32 and 33 are utilized to pressurize the two fluids comprising the water-proof coating sprayed by a spray gun 13 of the water-proofing spraying apparatus 10. See Petty, col. 4, lines 37-43. No discharge pressure is disclosed in the Petty reference for fluid pressurizing pump 32. However, the Petty reference discloses that the maximum discharge pressure of fluid pressurizing pump 33 is 40 p.s.i.g. As they both serve similar functions in providing a coating spray, both fluid pressurizing pumps 32 and 33 would be presumed to have similar discharge pressures that are much lower than 600 p.s.i.g. In any event, the Petty reference does not disclose that either pump is "...operable to produce a flow of a first liquid at a pressure of at least 600 p.s.i.g." as recited in amended independent claim 1. Thus, the Petty reference does not disclose all of the recited features of claim 1.

Therefore, amended independent claim 1 is not anticipated by the Petty reference. Claims 2, 4, 5, 7, and 8 depend from independent claim 1. Thus, claims 2, 4, 5, 7, and 8 also are not anticipated by the Petty reference.

In addition, the Petty reference does not disclose all of the recited features of amended independent claim 18. One of the recited features of amended independent claim 18 that is not disclosed by the Petty reference is: "securing the second pressure washing wand to the first pressure washing wand to enable the second pressure washing wand to direct the *center* of the spray of second liquid in a *substantially transverse direction relative to the axis of the first pressure washing wand* (emphasis added)." The Petty reference discloses a spray gun 13 having nozzles 19 and 250 positioned at an angle "θ" relative to the central axis "Y" of the spray gun 13. See Petty, Fig. 6 and col. 8, lines 5-8. The numeric value of this angle is not disclosed in the specification. However, upon examination of FIG. 6 of the Petty reference, it is evident that neither nozzle 19 nor

Serial No. 10/767,610
Amendment and Response to Office Action Mailed on June 16, 2006
Page 9

nozzle 250 is oriented at an angle that is "substantially transverse" relative to the central axis "Y" of the spray gun 13 so that the center of either of the sprays produced by nozzle 19 or nozzle 250 is directed in a substantially transverse direction relative to central axis "Y" of the spray gun 13. Therefore, the Petty reference does not disclose: "securing the second pressure washing wand to the first pressure washing wand to enable the second pressure washing wand to direct the center of the spray of second liquid in a substantially transverse direction relative to the axis of the first pressure washing wand," as recited in amended independent claim 18.

Thus, claim 18 is not anticipated by the Petty reference. Claims 24 and 25 depend from independent claim 18. Therefore, claims 18, 24, and 25 also are not anticipated by the Petty reference.

For all of these reasons, claims 1, 2, 4, 5, 7, 8, 18, 21, 24, and 25 are not anticipated by the Petty reference. Withdrawal of the rejection and allowance of the claims are respectfully requested.

First Rejection Under 35 U.S.C. § 103

Claims 9, 11, 13, 15, 17, and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Petty. Claims 9, 15, and 22 have been amended by this response. Claim 9 is an independent claim and claims 11, 13, 15, 17, and 22 depend from independent claim 9.

Claims 9, 11, 13, 15, 17, and 22 are patentable because the Petty reference does not disclose or suggest all of the recited features of the claims. One of the recited features of amended independent claim 9 that is not disclosed by the Petty reference is: "a wand assembly...adapted to direct the *centerline* of the second spray of liquid toward the axis of the pressure washing wand in a direction *substantially transverse to the pressure washing wand* so as to entrain the liquid from the storage tank in the high-pressure spray of liquid (emphasis added)." As noted above, the Petty reference discloses a spray gun

Serial No. 10/767,610
Amendment and Response to Office Action Mailed on June 16, 2006
Page 10

13 having nozzles 19 and 250 positioned at an angle " θ " relative to the central axis "Y" of the spray gun 13. See Petty, Fig. 6 and col. 8, lines 5-8. Neither nozzle 19 nor nozzle 250 is oriented at an angle that is "substantially transverse" relative to the central axis "Y" of the spray gun 13 such that the centerlines of their respective sprays would be directed in a direction substantially transverse to central axis "Y" of the spray gun 13. As a result, the Petty reference does not disclose "a wand assembly...adapted to direct the centerline of the second spray of liquid toward the axis of the pressure washing wand in a direction substantially transverse to the pressure washing wand so as to entrain the liquid from the storage tank in the high-pressure spray of liquid. Thus, the Petty reference does not disclose or suggest all of the recited features of amended independent claim 9.

Therefore, amended independent claim 9 is patentable over the Petty reference. Claims 11, 13, 15, 17 and 22 depend from independent claim 9. Thus, claims 11, 13, 15, 17, and 22 also are patentable over the Petty reference.

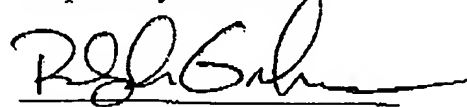
Conclusion

The Applicant would once again thank the Examiner for the teleconference of September 16, 2006.

In view of the remarks and amendments set forth above, Applicant respectfully requests allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Date: 9/18/06

Respectfully submitted,



Ralph A. Graham
Reg. No. 47,607
(281) 970-7253